REMARKS

This response is intended as a full and complete response to the final Office Action mailed February 7, 2006. In the Office Action, the Examiner notes that claims 1-14 are pending of which claims 1-5 are rejected, claims 7-9 are allowed, and claims 6-8 are objected to. By this response, claims 1 and 8 are amended. No new matter has been entered.

In view of both the amendments presented above and the following discussion, Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103. Thus, Applicants believe that all of these claims are now in allowable form.

It is to be understood that Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the prior art of record to the pending claims by filing the instant responsive amendments.

OBJECTIONS

IN THE CLAIMS

The Examiner has objected to claims 1 and 8 for various informalities. Applicants have amended the claims as suggested by the Examiner. Therefore, Applicants respectfully request that the Examiner's objection be withdrawn.

Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants thank the Examiner for indicating the allowable subject matter with respect to claim 6. However, in view of the amendments and arguments set forth, herein, Applicants believe that base claim 1 (and all intervening claims) is in allowable form and, as such, dependent claim 6, as it stands, is therefore in allowable condition. Accordingly, Applicants respectfully request that the foregoing objection to claim 6 be withdrawn.

REJECTIONS

35 U.S.C. §103

Claims 1-5

The Examiner has rejected claims 1-5 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,710,593 to Reynolds (hereinafter "Reynolds"). Applicants respectfully traverse the rejection.

Applicants' independent claim 1 recites:

> A rate generator for generating a plurality of frequencies comprising:
> an oscillator comprising:
> a phase accumulator for storing an accumulated phase value;
> a phase increment register for storing a phase increment value; and
> an adder, coupled to said phase accumulator and said phase increment register, for summing said phase increment value and the accumulated phase value to provide a sum to said phase accumulator, said adder for generating a pulse at a frequency each time the sum reaches a pre-determined value; and
> a controller, coupled to said oscillator, for time sharing said phase accumulator, said phase increment register and said adder to operate said oscillator as a plurality of oscillators to produce a plurality of frequencies forming control signals for a memory storing a plurality of identifiers associated with a respective plurality of users.
> (Emphasis added.)

By contrast, Reynolds teaches a digital test set generator having the ability to adjust the SCH phase of an output test signal. As taught in Reynolds, a color frame reset pulse is generated at the beginning of each color frame of the output test signal, and a quadrature Direct Digital Synthesis (DDS) circuit produces a digital representation of sine and cosine components of a color subcarrier frequency. The sine and cosine color subcarrier signals are modulated by color difference components and combined with luminance data to produce a digital representation of a desired composite video test signal. (Reynolds, Col. 2, Lines 25-37).

Reynolds, however, is devoid of any teaching or suggestion of operating an oscillator as a plurality of oscillators to produce a plurality of frequencies forming control signals for a memory storing a plurality of identifiers associated with a respective plurality of users, as taught in Applicants' invention of claim 1. Rather, Reynolds merely teaches that sine and cosine color subcarrier signals are modulated by color difference components. The sine and cosine color subcarrier signals taught in Reynolds, however,

simply do not form control signals for a memory, much less a memory storing a plurality of identifiers associated with a respective plurality of users. As such, the sine and cosine color subcarrier signals taught in Reynolds are completely different than the frequencies taught in Applicants' invention of claim 1. Furthermore, Reynolds is devoid of any teaching or suggestion of any users or identifiers associated with users, much less producing a plurality of frequencies forming control signals for a memory storing such identifiers associated with respective users. As such, Reynolds fails to teach or suggest Applicants' invention as a whole.

The test under 35 U.S.C. §103 is not whether an improvement or a use set forth in a patent would have been obvious or non-obvious; rather, the test is whether the claimed invention, considered as a whole, would have been obvious. Jones v. Hardy, 110 USPQ 1021, 1024 (Fed. Cir. 1984) (emphasis added). Moreover, the invention as a whole is not restricted to the specific subject matter claimed, but also embraces its properties and the problem it solves. In re Wright, 6 USPQ 2d 1959, 1961 (Fed. Cir. 1988) (emphasis added). The Reynolds reference fails to teach or suggest Applicants' invention as a whole.

As such, Applicants submit that independent claim 1 is not obvious and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Furthermore, claims 2-5 depend directly or indirectly from independent claim 1 and recite additional limitations therefor. As such, and for at least the same reasons as discussed above, Applicants submit that dependent claims 2-5 are also not obvious and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

ALLOWED CLAIMS

Applicants thank the Examiner for the allowance of claims 7 and 9.

SECONDARY REFERENCES

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to Applicants' disclosure than the primary references cited in the Office Action. Therefore, Applicants believe that a

detailed discussion of the secondary references is not necessary for a full and complete response to this Office Action.

CONCLUSION

Thus, Applicants submit that none of the claims, presently in the application, are obvious under the provisions of 35 U.S.C. §103. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Michael Bentley at (732) 383-1434 or Eamon J. Wall, Esq at (732) 383-1438 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: 5/1/06

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